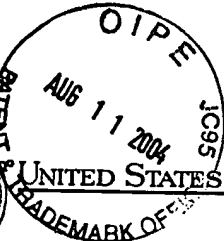


AUG 13 2004

Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/815,967	03/31/2004	David John Copeland	00565-073001

26181  
 FISH & RICHARDSON P.C.  
 3300 DAIN RAUSCHER PLAZA  
 MINNEAPOLIS, MN 55402

CONFIRMATION NO. 7704

## FORMALITIES LETTER



\*OC000000012925490\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 8A,8B are too dark.
  - The drawings must be made on paper that has a white background (see 37 CFR 1.84(e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 3,7.

The applicant needs to satisfy supplemental fees problems indicated below.

08/16/2004 FFANAI2 00000020 10815967

01 FC:2001 385.00 OP  
 02 FC:2051 65.00 OP

03 FC:2202 27.00 OP

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$27 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

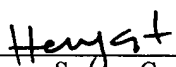
Total additional fee(s) required for this application is **\$477** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$27**
  - **\$27** for **3** total claims over 20.

Replies should be mailed to:    Mail Stop Missing Parts  
   Commissioner for Patents  
   P.O. Box 1450  
   Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Swift et al.  
Serial No. : 10/815,967  
Filed : March 31, 2004  
Title : MICROSCOPE WITH ADJUSTABLE STAGE.

Art Unit : 2872  
Examiner : Unknown

**MAIL STOP MISSING PARTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application under 37 CFR §1.53(b) mailed June 14, 2004 (copy enclosed), applicant claims small entity status (see 37 CFR 1.27) and submits herewith the following:

- ☒ Payment of the basic filing fee of \$385;
- ☒ Payment of the additional/multiple dependent claims fees of \$27;
- ☒ Payment of the surcharge of \$65 for late filing of the basic filing fee and/or declaration;
- ☒ A check in the total amount of \$477 is attached;
- ☒ A Combined Declaration and Power of Attorney in compliance with 37 CFR §1.63;
- ☒ Replacement drawings that comply with the size requirements and that are clear and in permanent ink; and
- ☒ Other:  
Statement re Power of Attorney  
Statement re Limited Recognition under 37 CFR § 10.9(b)

It is understood that this perfects the application and no additional papers or filing fees are required.

CERTIFICATE OF MAILING BY EXPRESS MAIL

Express Mail Label No. EV 321391574 US

August 11, 2004

Date of Deposit

Applicant : Swift et al.  
Serial No. : 10/815,967  
Filed : March 31, 2004  
Page : 2 of 2

Attorney's Docket No.: 00565-073001

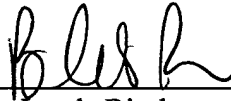
Brenda Leeds Binder has been given limited recognition under 37 CFR § 10.9(b) as an employee of the Fish & Richardson PC law firm to prepare and prosecute patent applications wherein the patent applicant is a client of Fish & Richardson PC and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Richardson, which is the case in the present application. A copy of the Limited Recognition document, which expires December 1, 2004, is attached hereto.

Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

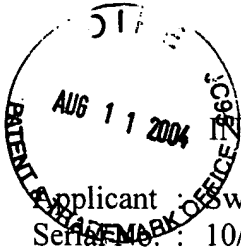
8/11/04



\_\_\_\_\_  
Brenda Leeds Binder

Limited Recognition under 37 CFR § 10.9(b)

Fish & Richardson P.C.  
500 Arguello Street, Suite 500  
Redwood City, California 94063  
Telephone: (650) 839-5070  
Facsimile: (650) 839-5071



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Swift et al.

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Title : MICROSCOPE WITH ADJUSTABLE STAGE.

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed 12 sheets of formal drawings for the corresponding drawings presently in the application. No new mater is added.

Please note that FIG. 4 has been amended to correct two typographical errors included in the informal drawings. One instance of reference numeral 212 has been substituted with reference numeral 213, and one instance of reference numeral 213 was substituted with reference numeral 212. Additionally, an "x" was added behind the number 7.5 to indicate a 7.5 times magnification and for consistency with other like numbers included in the figure.

Brenda Leeds Binder has been given limited recognition under 37 CFR § 10.9(b) as an employee of the Fish & Richardson PC law firm to prepare and prosecute patent applications wherein the patent applicant is a client of Fish & Richardson PC and the attorney or agent of record in the applications is a registered practitioner who is a member of Fish & Richardson, which is the case in the present application. A copy of the Limited Recognition document, which expires December 1, 2004, is attached hereto.

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Respectfully submitted,

Date: 8/11/04



Brenda Leeds Binder  
Limited Recognition under 37 CFR § 10.9(b)

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500 Arguello Street, Suite 500  
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